

## Task Force to Study Mulching, Composting, and Wood Processing

### Approved Minutes

November 10, 2014

Mr. Goldman called the meeting to order at 6:15 p.m. in the Latimer Room, Maryland Center for Entrepreneurship, 9250 Bendix Road, Columbia MD.

Members Present: Zach Brendel, Martha Clark, Jeff Dannis, Gary Felton, Richard Goldman, Sean Harbaugh, Cathy Hudson, Stu Kohn, Rick Lober, Brent Loveless, Theodore Mariani, Lynn Moore, Bert Nixon, Keith Ohlinger, Robert Orndorff, Brent Rutley, John Tegeris, and Kathy Zimmerman.

Others Present: Marsha McLaughlin, Department of Planning and Zoning; David Moore, Office of Law; and Jeff Meyers, Task Force staff. Several members of the public were in attendance.

Mr. Goldman asked for comments about the minutes. Mr. Lober asked that the minutes note that some members of the Task Force would add a size limit to the area devoted to processing to the recommendation that operations be allowed by-right for materials if: (1) the feedstocks are entirely generated on-site; and (2) the resulting product is entirely used on site.

The Task Force reviewed the document received from Assistant Chief Merson, Office of the Fire Marshal, Department of Fire and Rescue Services, about proposed requirements for wood waste facilities. The Task Force had several questions, which have been forwarded to Chief Merson:

1. Can you use "cubic yards" instead of "cubic feet" for consistency with other regulations that govern these kinds of operations?
2. The suggestions reference "5 travel miles of the location". The Task Force is unclear as to what "the location" is. Can that be clarified?
3. The draft refers to "Mulch/Wood Processing". Are these suggestions also meant to cover "composting" operations?
4. Would the same requirements apply to operations within the planned service area? If not, what requirements would apply there?
5. How would the Fire Department enforce these requirements?
6. The requirements ask for a copy of "NWWRF or composting permit application". Would you also want a copy of the permit when issued?

Dr. Tegeris indicated that the community wishes to have an expert present to the Task Force on the issue of composting of animal carcasses and offal. Dr. Felton indicated that this is within his area of expertise and described some of the practices that may be used to deal safely with this material. Ms. Zimmerman described the existing restrictions that pertain to farmers who have this kind of material. She noted that handling of these materials by farmers has not resulted in complaints from the public. Mr. Nixon indicated that the Health Department receives few complaints on this matter and that the concerns seem to be with commercial processors, not

farmers. Mr. Long, a member of the public, described how he has handled horse mortality. Mr. Ohlinger related his experiences and practices with animal mortality on his farm.

Mr. Rutley moved the following recommendation. Mr. Orndorff seconded the motion.

Composting be allowed By Right in RR,RC,R-ED,R-20,R12 zones & on Agricultural Preservation parcels:

- Area in support of Composting: < 2 acres, (not to exceed a total of 10% of parcel area).
- Feedstock: Any material generated on-site, including animal mortality, (unless considered hazardous by MDE). Regardless of source, MDE Type 1 materials, animal manure or bedding, poultry and seafood residuals.
- Product usage: On-site, unless exempted by DPZ.
- Hours of operation: None listed for RR & RC, but for R-ED, R-20 & R-12 6:00 AM- 9:00PM
- Site design standards: Setbacks 30' to property lines, 50' to dwelling other than landowner, 50' to public street ROW, 100' to domestic well, 100' to stream or other body of water; except water impoundments used for the composting process.
- Site design standards: Sediment and water protection design by HSCD, as delegated by MDE.
- Site design standards: Compost facility design as per NRCS standard # 317
- Site design standards: Animal mortality composting per NRCS standard #316
- Site design standards: Nutrient Management plan per MDA , (if required).
- Site design standards: Remainder of land not used in the operation is to be actively farmed or agriculturally managed per current Conservation Plan.

On a roll call vote, the motion passed with 12 votes for and 6 votes against.<sup>1</sup> Some of those who voted against explained that they did so because of format issues and not because of content.

Mr. Lober reviewed the Dayton Rural Preservation Society's matrix of recommendations. Mr. Nixon described the setback requirements related to wells, which do not match with those in the recommendations. Mr. Mariani noted that some of the setback recommendations are larger than many farms in the County. Ms. Zimmerman noted that there are 21 farms in the County over 500 acres, accounting for half of the farm acreage in the County. The other half of the farm acreage in the County consists of 272 farms of less than 400 acres and 126 farms of less than 50 acres. Mr. Dannis noted that, if the recommendations were adopted, compost sales would only be allowed at Alpha Ridge or in M1/M2. Mr. Mariani added that this would preclude compost sales from one farmer to a neighboring farmer. Dr. Tegeris thought that could be handled by enforcement discretion, but Mr. Rutley noted that businessmen like himself need predictability and clarity in the regulations. After additional discussion, Mr. Lober agreed that some of the recommendations needed further study. He will send an updated matrix to Mr. Dannis and Ms. McLaughlin who will try to create a single document that includes them, the Task Force decisions to date, and Mr. Rutley's recommendations.

The Task Force adjourned at 9:05 p.m.

The next meeting is November 17, 2014, at the Latimer Room, Maryland Center for Entrepreneurship, 9250 Bendix Road, Columbia MD.

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<sup>1</sup> Voting for: Ms. Moore, Ms. Clark, Mr. Harbaugh, Mr. Goldman, Mr. Rutley, Ms. Zimmerman, Ms. Hudson, Mr. Nixon, Mr. Brendel, Mr. Ohlinger, Mr. Orndorff, and Dr. Felton. Voting against: Mr. Mariani, Mr. Loveless, Mr. Lober, Dr. Tegeris, Mr. Dannis, and Mr. Kohn.